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OCT 10, 2001

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MICHAEL DORAME: I am Michael Dorame, Fifth

5 District Supervisor for Inyo County, California, and my
6 district includes the Southern Amargosa Valley,
7 extending east to Nevada and south to San Bernardino
8 County, and includes Death Valley National Park, the
9 communities of Death Valley Junction, Shoshone, Tacopa,
10 Tacopa Hot Springs, Charleston View, Sandy Valley and
11 Furnace Creek and the Timbisha-Shoshone homelands at
12 Death Valley Junction and Furnace Creek. My, district,
13 its people and its natural habitat are the ultimate
14 recipients of whatever radioactive toxins escape from
15 the Yucca Mountain repository.

16 The release of the preliminary site suitability
17 evaluation, a document which makes conclusionary
18 statements regarding the Yucca Mountain site's
19 suitability for development of a deep geologic
20 repository, is premature in light of the fact that the
21 United States Department of Energy has yet to complete
22 NEPA proceedings on the Yucca Mountain proposal. Until
23 a final Environmental Impact Statement has been
24 completed for use by the department, DOE has no
25 legitimate basis for making a preliminary suitability

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1 determination for the site.

2 Release of the PSSE is also premature given the
3 fact that key scientific studies regarding waste package
4 corrosion processes are still underway and the region's
5 saturated zone, unsaturated zone and alluvial geology is
6 only generally understood.

7 Our review of the science and engineering
8 report, the draft EIS, the supplemental EIS and
9 discussion taking place among DOE, the Nuclear Waste
10 Technical Review Board and the Nuclear Regulatory
11 Commission indicate the persistence of high levels of
12 uncertainty in the behavior of virtually all geologic,
13 hydrologic and proposed engineering systems associated
14 with the proposed repository.

15 Sufficient information is not before DOE at
16 this time to warrant even the most preliminary
17 conclusions regarding the site's ability to function as
18 intended by the Nuclear Waste Policy Act or meet EPA
19 release standards for the 10,000 year licensing period.

20 A scientifically sound determination of site
21 suitability cannot be made at this juncture nor any time
22 in the near future. DOE's attempts to evaluate site

23 suitability are based on proposed site suitability
24 guidelines, not the site evaluation guidelines currently
25 in place and legally in effect.

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1 It seems obvious to most observers that site
2 suitability explorations must revolve around those
3 officially adopted, legally binding guidelines already
4 in place, not the proposed hypothetical, hopeful and
5 legally meaningless guidelines which have served as a
6 framework for the preliminary site suitability
7 evaluation.

8 The current set of scheduled site
9 recommendation consideration hearings are premature,
10 inadequate and a clear violation of the letter and
11 intent of the Nuclear Waste Policy Act. They are
12 premature for the same reason that the site suitability
13 evaluation is premature. DOE's attempt to hold field
14 hearings in Inyo County falls woefully short of meeting
15 the needs and expectations of Inyo County as stated
16 clearly in the Board of Supervisors letter to DOE
17 Secretary Abraham dated September 4th, 2001.

18 In that letter, we requested a full public
19 hearing on site suitability attended by Secretary

20 Abraham at the Furnace Creek in Death Valley National
21 Park, the area that is most potentially negatively
22 impacted from the operation of a repository at Yucca
23 Mountain.

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24 Our request gained immediate and unambiguous
25 support in the form of a joint letter from Congressman
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1 Jerry Lewis and Senator Dianne Feinstein to Secretary
2 Abraham.

3 Instead of granting our request, the Department
4 has seen fit to ignore it and instead go with minimal
5 notice and lead time field hearings that have none of
6 the scope, scale, or exposure warranted of a hearing on
7 a project the magnitude of the proposed repository.

8 Inyo County is unique in its status as the
9 ultimate destination for those radionuclides that will
10 under all repository design variances under
11 consideration by DOE escape from the repository block
12 and travel via ground water into the Southern Amargosa
13 Valley and into Death Valley National Park.

14 Inyo and San Bernardino Counties contain major
15 sections of the aquifers through which radionuclides are
16 predicted to travel, as well as the Amargosa River

17 system that may serve to transport these same materials
18 via surface and underground water.

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19 I would like to point out that
20 Section 114(a)(1) of the Nuclear Waste Policy Act as
21 amended specifies that, "The secretary shall hold public
22 hearings in the vicinity of the Yucca Mountain site for
23 the purposes of informing the residents of the area of
24 such considerations and receiving their comments
25 regarding the possible recommendation of such site."

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1 Inyo County, whose borders lie just 17 miles
2 from the Yucca Mountain site, certainly qualifies as
3 being in the vicinity of the site. There is no doubt
4 that the Nuclear Waste Policy Act obligates the
5 Department of Energy to provide real hearings in Inyo
6 County.

7 Further, Section 114 of the Act points to a
8 hearing process that is limited to receiving comments
9 from residents of the area and their elected
10 representatives. Testimony at these hearings should be
11 limited to parties within or representative of the
12 vicinity of the site, i.e., from Inyo, San Bernardino,
13 Nye and Clark Counties.

14 The Department of Energy failed to seriously
15 attempt or achieve compliance with the Nuclear Waste
16 Policy Act, Section 114(a)(1) at the September 5, 2001
17 public hearing in Las Vegas, Nevada, and would be well
18 advised to comply fully with this requirement with
19 respect to California and Inyo County.

20 The preliminary site suitability evaluation
21 claims that the site appears to be capable of meeting
22 EPA radiation protection standards. This gives us no
23 comfort whatsoever. The EPA's radiation protection
24 standards allow for the destruction of those aquifers
25 that provide sustenance for humans and

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1 Federally-protected natural habitat in both the Amargosa
2 Valley and Death Valley National Park. These standards
3 are entirely unacceptable to Inyo County.

4 No proposal or design that allows the release
5 of radioactive materials from the repository should be
6 recommended to the president. DOE should concede that
7 the necessary hydro-geologic prerequisites necessary to
8 isolate nuclear waste from the human environment are not
9 present at the Yucca Mountain site and seek further
10 direction from Congress regarding the issue of long-term

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11 handling of spent fuel and high level nuclear waste.

12 The scientific information necessary to make a
13 conclusion on site suitability does not exist and will
14 not, even with an aggressive and well-funded research
15 and testing program, be available for years. We would
16 like to suggest an alternative an approach.

17 In May 2001 the Department of Energy released
18 the documents "Nuclear Waste Fund Fee Adequacy Report"
19 and "Total System Life Cycle Cost of the Civilian
20 Radioactive Waste Management Program." These documents
21 reveal that the total expected cost of the Yucca
22 Mountain project is projected to be \$56 billion, of
23 which about \$7 billion have been spent to date.

24 A general estimate of the cost to store spent
25 nuclear fuel in NRC-certified above-ground dry casks
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1 with a useful life of 50 to 100 years each is reported
2 in the Total System Life Cycle Cost report as \$100,000
3 per metric ton or about \$7 billion to encase the entire
4 70,000 metric tons of spent fuel anticipated to be
5 emplaced in Yucca Mountain.

6 If we assume for the sake of argument that the
7 entire process of manufacturing and transporting dry

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8 casks, retrofitting nuclear generator DOE and DOD sites
9 to meet NRC on-site storage license requirements and
10 developing an implementation of monitoring and security
11 measures for all sites totals out at \$15 billion, we can
12 see a clear, relatively inexpensive and expedient path
13 to meet the nation's long-term short needs without
14 building a centralized repository, without incurring the
15 health, accident and terrorism risks associated with a
16 24-year spent fuel transportation campaign and without
17 extracting an entire \$56 billion from nuclear power
18 consumers.

19 In addition, the spent fuel would remain
20 packaged in accessible, readily monitored, repaired, and
21 replaced containers for future reprocessing,
22 transmutation or burial as necessary to our future needs
23 and priorities. This is the reasonable approach,
24 readily implemented, safe and politically much more
25 feasible.

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1 We urge Secretary Abraham to recognize Yucca
2 Mountain as the dead-end effort that it is and
3 pro-actively seek Congressional consideration of
4 reasonable alternatives, alternatives that will save our

5 society billions of dollars, will save the Federal
6 government decades worth of litigation, and it will
7 spare California and Nevada centuries of threat to our
8 water and our citizens.

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9 I have a request from Governor Guinn of Nevada
10 to submit into the record for this field hearing the
11 comments made by the Governor at the September 5, 2001
12 Yucca Mountain Site Characterization Public Hearing in
13 Las Vegas, Nevada. On behalf of the Inyo County Board
14 of Supervisors, I will submit this as a written
15 statement by Governor Kenny Guinn

16 In closing, I need to remind the Department of
17 Energy that we are not engaged in conventional warfare
18 as of this date. Having served my country in the
19 military, this is not conventional. Security measures
20 that we are undertaking within our national boundaries
21 are unconventional, unprecedented. We need to remind
22 ourselves at all times that these terrorist acts are
23 crimes against people. We need to sustain ourselves and
24 maintain security of any nuclear waste at the highest
25 levels, not to jeopardize communities along the way to a
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1 single site. Promoting a transportation plan that does

2 so is an invitation that a terrorist may take us up on.

3 I thank you very much for the opportunity to

4 comment. My name is Michael Dorame, and I am the Fifth

5 District Supervisor on the Inyo County Board of

6 Supervisors, 1564 Indian Springs Drive, Lone Pine,

7 California 93545.

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